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Implementation of the World Programme of Action concerning Disabled Persons: towards a society for all in the twenty-first century

Report of the Secretary-General**

Summary

The present report provides information on the activities of Governments and the United Nations system as well as organizations of persons with disabilities within the scope of resolution 58/132 as part of continuing efforts to implement the World Programme of Action concerning Disabled Persons. It is based on the contributions received from 26 Governments, 14 United Nations agencies or programmes and two non-governmental organizations. The report successively addresses: (a) the international policy framework on disability; (b) progress towards the equalization of opportunities for persons with disabilities; (c) initiatives aimed at promoting a disability perspective in development; and (d) actions to improve accessibility at the United Nations.

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I. Introduction

1. The present report responds to General Assembly resolution 58/132, in which the Assembly took note of the report of the Secretary-General on the implementation of the World Programme of Action concerning Disabled Persons. In the same resolution, the Assembly called upon Governments to take all necessary measures to advance beyond the adoption of national plans for persons with disabilities and emphasized the importance of supporting national efforts through international cooperation. It encouraged Governments to continue their support for non-governmental organizations, including organizations of persons with disabilities, and to involve persons with disabilities in the formulation of strategies and plans that pertain to them.

2. In resolution 58/132, the Assembly also encouraged Governments, intergovernmental and non-governmental organizations and the private sector to take concrete measures to mainstream the disability perspective into the development process and also urged relevant organizations and bodies of the United Nations system to incorporate that perspective in their activities. It urged Governments to address the situation of persons with disabilities with respect to all actions taken to implement existing human rights treaties to which they are parties and to provide special protection to those who may experience multiple or aggravating forms of discrimination. It stressed the importance of improving data and statistics on persons with disabilities for the purposes of policy design, planning and evaluation from the disability perspective. It urged the Secretary-General to continue to implement plans to provide a barrier-free environment within the United Nations.

II. International policy framework on disability

3. It is estimated that there are at least 600 million persons with disabilities worldwide — about 10 per cent of the global population — of whom approximately 80 per cent live in developing countries. As a result of continued discrimination, segregation from society, economic marginalization and lack of participation in social, political and economic decision-making processes, the vast majority of persons with disabilities continue to be left out of development and dispossessed of their basic human rights. By denying people with disabilities a voice and the opportunity to play an active role in society, societies deprive themselves of essential human resources critical for economic and social development, leading to substantial adverse effects on development processes. Unless persons with disabilities are brought into the development mainstream, it will be impossible to cut poverty by half by 2015 as agreed by heads of State and Government at the United Nations Millennium Summit in September 2000.

4. The World Programme of Action concerning Disabled Persons, adopted in December 1982, provided the international community with a comprehensive policy framework to enhance disability prevention, rehabilitation and the realization of the goals of full participation of persons with disabilities in social life and national development, and of equality. The World Programme represented a significant move away from the traditional approach that focused on rehabilitation measures aimed at disabled individuals. It was the first international instrument to attempt to articulate both a developmental and rights-based approach to disability.

5. Drawing on the experience gained during the United Nations Decade of Disabled Persons (1983-1992), the General Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities in December 1993. The Standard Rules comprise 22 rules that address all aspects of life of persons with disabilities and provide for a continuum of interventions that are critical to the equalization of opportunities for all persons with disabilities. The Standard Rules provide for the appointment of a Special Rapporteur to monitor the implementation of the Rules, and to report yearly to the Commission for Social Development. Since their adoption, the Standard Rules have played a significant role in informing the elaboration of national policies and practices on disability throughout the world. It is widely agreed that the application of the principles expressed in the Rules has greatly contributed to the dissemination of best practices on equalization of opportunities for persons with disabilities.

6. In 2001, the General Assembly recognized that, despite the efforts made to increase cooperation, integration and increasing awareness of and sensitivity to disability issues since the adoption of the World Programme of Action and the Standard Rules, they had not been sufficient to promote full and effective participation of and opportunities for persons with disabilities in economic, social, cultural and political life (resolution 56/168). The Assembly therefore decided to establish an Ad Hoc Committee to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, based on the holistic approach in the work done in the fields of social development, human rights and non-discrimination and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development.

III. Progress towards the equalization of opportunities for persons with disabilities

7. Equalization of opportunities for all is the central theme of both the World Programme of Action and the Standard Rules. The vision conveyed by those instruments stems from the principle of equal rights, whereby the needs of each and every individual are of equal importance and must be made the basis for the planning of public interventions so as to ensure that every individual has equal opportunity for participation. The Standard Rules delineate preconditions and target areas for equal participation, as well as a set of implementation measures. Preconditions for equal participation include awareness-raising, medical care, rehabilitation and support services. Target areas encompass accessibility, education, employment, income maintenance and social protection, family life and personal integrity, culture, recreation, sports and religion. The following section reviews measures that were implemented to further the equalization of opportunities for persons with disabilities in the period since the fourth five-year review and appraisal of the World Programme of Action.

A. Progress in laws and regulations

8. Several Member States reported on the adoption of non-discrimination legislation and other disability-specific legislation, as well as on modifications of

existing legislation to extend its scope to persons with disabilities. In 2005, section 15 of the Canadian Charter of Rights and Freedom on equality before and under law and equal protection and benefit of law was modified so as to allow affirmative action in favour of, inter alia, persons with physical and/or mental disabilities. Cyprus introduced a legal protection system. Israel established positive discrimination mechanisms. The Netherlands adopted the Act on Equal Treatment of Disabled and Chronically Ill Persons. Sweden adopted a legislative framework that called for a systematic disability perspective in legislation dealing with general issues such as social security or housing.

9. Belarus adopted new legislation in the area of education of children with disabilities. In Germany, legislation came into force that provided incentives for job retention for workers with disabilities, while Japan established quotas for their employment in the public and private sectors. Malta reported that, according to State regulations and laws, at least half of the members of bodies that deal with issues of disability must be persons with disabilities. Malaysia indicated that it was currently drafting a disabled persons act.

10. Australia reported on the inclusion of provisions for the protection of persons with disabilities in its National Action Plan on Human Rights. Brazil established a National Council of the Rights of Persons with Disabilities. Canada funded court challenges programmes to test cases on equality, including those involving persons with disabilities. Croatia created a working group to consider disability issues under its Parliamentary Committee on Human Rights and National Minorities. Mexico adopted the General Law of Persons with Disabilities, establishing that all public policies on disability must be based on equity, justice and equalization of opportunities. In Sweden, the disability dimension was an integral part of the baseline study of the new National Action Plan for Human Rights.

B. Promotion and awareness of disability issues

1. National level

11. Croatia conducted public information programmes. Cyprus held national campaigns and seminars. Israel published a series of guides concerning the rights of persons with disabilities, and added a national website on disability information to the Government's website. The Netherlands established a three-year task force for the promotion of disability issues. In Nicaragua, the National Rehabilitation Council developed a national awareness campaign. The Syrian Arab Republic enacted programmes to increase knowledge about disability, its causes and types, and to foster early detection and to promote the rights of persons with disabilities.

2. International level

12. The Department of Public Information of the United Nations Secretariat singled out disability as one of the top 10 underreported stories in its 2004 awareness promotion campaign. The Office of the United Nations High Commissioner for Human Rights has continued to disseminate its study entitled "Human rights and disability: the current use and future potential of United Nations human rights instruments in the context of disability".

C. Participation of persons with disabilities and their organizations in the formulation of strategies and plans

1. National level

13. To ensure the participation of persons with disabilities and their organizations in the formulation of strategies and plans, Algeria has established a National Council for Persons with Disabilities. In Argentina, the National Commission on the Integration of Persons with Disabilities includes representatives from different sectors of Government as well as representatives of organizations of persons with disabilities. In Cyprus, persons with disabilities participate in the Pancyprian Council for Persons with Disabilities, administrative councils and ad hoc committees. In Nicaragua, representatives of organizations of persons with disabilities participate in the planning of poverty reduction activities. In Mexico, they are consulted in the framework of a consultative council. In the Philippines, organizations of persons with disabilities and partner organizations are represented in the different sections of the subcommittees of the Antipoverty Commission. In Romania, representatives of organizations of persons with disabilities participate in the National Council for Disabilities. In Sweden, organizations of persons with disabilities have actively participated in the elaboration of a new national action plan for human rights. The United Republic of Tanzania has initiated actions to ensure the participation of persons with disabilities in the formulation of national disability policies and strategies. Financial assistance has been a main form of governmental support for organizations of persons with disabilities. Canada has an annual support programme for organizations working to implement the World Programme of Action concerning Disabled Persons. Slovakia subsidizes 20 reconditioning and rehabilitation organizations.

14. Some Member States mentioned having held or participated in regional sectoral briefings and consultations in connection with the work of the Ad Hoc Committee on the convention on the rights and dignity of persons with disabilities. Several countries included representatives of organizations of persons with disabilities in their delegations to the Committee. Israel established a national committee composed of representatives of the Government and organizations of persons with disabilities to formulate a joint policy before the sessions of the Ad Hoc Committee. Japan established a parliamentarian league for the promotion of the draft convention. The Netherlands consulted with organizations of persons with disabilities and partner organizations prior to the sessions of the Ad Hoc Committee.

2. International level

15. The Secretariat provides support for the activities of organizations of persons with disabilities in their activities through the United Nations Voluntary Fund on Disability. Funding priority is targeted to building the capacity of governmental and non-governmental organizations to take part in the formulation of the convention on the rights and dignity of persons with disability and its future implementation. In this context, the Division for Social Policy and Development of the Department of Economic and Social Affairs organized regional consultative meetings on the draft convention that brought together Government and civil society representatives. It also provided training for leaders in the field of disability and contributed information and training materials on disability issues from a human rights perspective. It provided support for the participation and contribution of persons

with intellectual disabilities and their families in the development of the draft convention. Furthermore, pursuant to General Assembly resolution 57/229, the United Nations Voluntary Fund on Disability provided financial assistance for the participation of 73 representatives of civil society organizations from developing countries in the meetings of the Ad Hoc Committee from January 2004 to August 2005. The Division for the Advancement of Women facilitated the participation of a person with disabilities in the sessions of the Commission on the Status of Women.

16. International organizations of persons with disabilities — such as Disabled Peoples' International, Inclusion International, the World Blind Union and the World Federation of the Deaf — continued to strengthen their worldwide networks of national constituencies through a wide range of activities. Civil society organizations, particularly organizations of persons with disabilities, have been actively contributing to the work of the Ad Hoc Committee. Two non-governmental organizations submitted reports on the implementation of resolution 58/132 during the reporting period. Rehabilitation International reported on production of daily summaries of sessions of the Ad Hoc Committee and the hosting of side events in connection with the sessions, as well as the production of the human rights tool kit for athletes participating in the Paralympics in 2004. The World Network of Users and Survivors of Psychiatry reported on its advocacy activities to combat discrimination against persons with psychosocial disabilities, particularly through the limitation of their legal capacity.

D. Data and statistics on disability

17. The current paucity of disability data has greatly limited the development of comparative data and statistics on the prevalence of disability globally, as well as on social and economic trends for persons with disabilities. While some data are available on prevention and rehabilitation, there are virtually none on issues related to the equalization of opportunities. When assessing the equalization of opportunities, it is useful to compare both longitudinal data on persons with disabilities and data comparing persons with and without disabilities on key social and economic characteristics at one point in time. In areas where resources are scarce, data on education and employment status of persons with disabilities can serve as proxy data for the equalization of opportunities.

18. Intergovernmental organizations and entities of the United Nations have taken several courses of action in this regard. To continue to build national capacities for national data-collection systems, the Statistics Division will commence in October 2005 systematic and regular collection of disability statistics as part of its activities related to the publication of the United Nations Demographic Yearbook. The Statistics Division has also established a technical subgroup on human functioning and disability to review and update current census recommendations on disability with regard to concepts, definitions and classifications. The Economic and Social Commission for Asia and the Pacific (ESCAP) initiated work on disability-related data, and carried out a workshop for field testing in seven countries. The Office of the United Nations High Commissioner for Refugees (UNHCR) reported on an electronic registration tool that allows for the collection of disaggregated data on refugee populations. The United Nations Children's Fund (UNICEF) attempted to integrate indicators related to child protection in its regular data-collection activities. The World Bank collaborated with UNICEF and the Washington Group

on Disability Statistics. The Inter-American Development Bank developed a project on improving disability data and access to education.

E. Activities of the Special Rapporteur

19. Following the end of the third mandate of the Special Rapporteur on Disability of the Commission for Social Development (2002-2003), Sheikha Hessa Al-Thani (Qatar) was appointed Special Rapporteur of the Commission for Social Development for the period 2003-2005. Her mandate was extended to 2008 by the Economic and Social Council in 2005. The Special Rapporteur continues to work in cooperation with Governments, civil society organizations and organizations of persons with disabilities, as well as with the panel of experts representing organizations of persons with disabilities.

20. The Special Rapporteur collaborated with the Jordanian House of Representatives to organize the first Arab Parliamentary Symposium on Disability Legislation (Amman, 16 and 17 March 2005), with the participation and the support of the United Nations Department of Economic and Social Affairs, the Regional Office of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Regional Office of the International Labour Organization (ILO). The symposium was organized in line with recent steps taken by Arab countries aimed at improving the situation of persons with disabilities in the region, including the adoption by the Arab League of the Arab Decade for Persons with Disabilities (2004-2013), and the establishment by the Arab Parliamentary Union of a parliamentary committee on disabilities.

21. During the reporting period, the Special Rapporteur visited Egypt, Germany, Guatemala, Lebanon, Mexico, Morocco, Norway and Saudi Arabia. She subsequently presented a report of her activities at the forty-third session of the Commission for Social Development (E/CN.5/2005/5). The General Assembly considered the proposed supplement to the Standard Rules contained in the annex to the report of the Special Rapporteur (E/CN.5/2004/4) at its fifty-ninth session and decided to resume consideration at its sixty-first session. The Special Rapporteur also launched a worldwide survey on the implementation of the Standard Rules. Initial findings of the survey will be described in her report to the forty-fourth session of the Commission for Social Development.

IV. Promoting a disability perspective in development

A. Country initiatives for the integration of persons with disabilities in society

22. The World Programme of Action concerning Disabled Persons provides the basis for a disability perspective on development, which focuses on persons with disabilities as agents and beneficiaries of development in the society in which they live. To enable persons with disabilities both to contribute to and benefit from development, disability-sensitive strategies, policies and programmes are needed across the development agenda.

23. Brazil highlighted the relations between disability and poverty in national discussions on the Millennium Development Goals, while the United Republic of Tanzania reported mainstreaming disability in its National Strategy for Growth and Reduction of Poverty. Cyprus adopted the National Action Plan for Social Inclusion. Israel created a ministerial committee to promote the rights of persons with disabilities. Malaysia formed 10 technical working groups to look into needs and issues according to priority areas identified under the Biwako Millennium Framework Towards an Inclusive, Barrier-Free and Rights-Based Society for Persons with Disabilities in Asia and the Pacific. Oman integrated disability into local development approaches, vocational training and social protection. South Africa developed a monitoring and evaluation system with disability indicators.

24. To further the integration of persons with disabilities in society, Bahrain adopted a comprehensive strategy to promote the rights and equal opportunities of persons with disabilities, with special emphasis on the needs of women with disabilities. Croatia took steps towards the deinstitutionalization of persons with disabilities. Cyprus provided vocational training and support. Hungary set up new rehabilitation information centres, and included disability in its national employment strategy. Malaysia gave emphasis to community-based rehabilitation in rural areas. The Russian Federation was promoting a barrier-free environment and changes in disability-related benefits. Slovakia set up three counselling and information centres to address issues of employment of persons with disabilities.

B. International cooperation

25. At the regional level, the European Commission adopted, in 2004, a guidance note on disability and development, which provided 10 principles for the European Union delegations and services in development activities, including: scale and impact of disability at the country level; diversity of the population of persons with disabilities; human rights model of disability; a twin-track approach, including mainstreaming of disability and disability-specific projects; inclusion of disability in midterm reviews in country programmes, projects it funds and the workforce; accessibility; capacity-building of organizations of persons with disabilities; and communication between organizations of persons with disabilities and Governments and other stakeholders. The Asian Development Bank had a project on expanding employment opportunities for persons with disabilities in poverty in Mongolia. Countries of the Caribbean held the Caribbean Ministerial Conference on Disability in 2004 with the aim of coordinating their regional approach to the Convention process, and to mainstream disability issues in national sectoral plans.

26. Algeria reported on initiatives of training of trainers and specialized personnel on landmines-related activities. The Canadian International Development Agency supports a programme in the Russian Federation to develop and implement public policies on disability inclusion at all levels. Japan is backing a five-year rehabilitation specialist-training project in China. Sweden has provided financial assistance for the development of an office on the status of disabled persons in South Africa. The Swedish International Development Agency has included strengthening of organizations of persons with disabilities on its technical cooperation agenda. Mainstreaming disability has also been addressed within the framework of Nordic development cooperation. The European Union has supported national disability initiatives in several Eastern European countries.

27. The Inter-American Development Bank held a seminar on disability, development and poverty eradication at its headquarters in November 2004. The seminar, which was organized by the Japan Program of the bank, contributed to the exchange of knowledge and expertise between Asia and Latin America and the Caribbean on strategies of inclusive development, mainstreaming disability into poverty reduction, and development projects.

28. The Economic and Social Commission for Western Asia reported that it had implemented the second phase of a joint project with the Department of Economic and Social Affairs, entitled Net Forum for the Blind. The Food and Agriculture Organization of the United Nations (FAO) started pilot initiative projects in several developing countries to assist rural persons with disabilities in becoming successful entrepreneurs. UNESCO disseminated information materials on children with disabilities and education and cooperated with the Special Rapporteur on the Right to Education on the inclusion of children with disabilities in mainstream school systems. ILO initiated a project on the impact of legislation on employment and the training of persons with disabilities. It also carried out activities related to the training and employment of persons with disabilities in East Africa and Asia. UNHCR joined forces with UNICEF and the World Health Organization (WHO) to implement a project aimed at the prevention of diseases leading to disabilities. WHO also carried out six inter-country workshops on strategies for improving rehabilitation services. The World Bank has established a cross-sectoral, internal working group on disability that helps to mainstream disability in all aspects of the Bank's work. The Bank has also provided funding for research on HIV/AIDS and disability. The International Maritime Organization and the International Civil Aviation Organization reported that they had set disability-specific standards in their respective fields. The International Telecommunication Union held two workshops on accessibility.

29. In the context of post-tsunami reconstruction efforts, ESCAP contributed a disability perspective in a multisectoral technical cooperation project about the impact of the tsunami and the quality of life of vulnerable groups in Indonesia, Sri Lanka and Thailand. UNESCO put emphasis on accessibility awareness in the training of teachers and reconstruction of school buildings. The World Bank is developing standards of accessibility for post-tsunami infrastructure rehabilitation.

V. Actions to improve accessibility at the United Nations

30. The accessibility of the environment, information and communication is essential to attaining the full and effective participation of persons with disabilities, on an equal basis with others, in all aspects of life, including decision-making and policymaking. The Programme of Action strongly urges the United Nations system to make all its facilities totally barrier-free, ensure that communication is fully available to sensory-impaired persons and adopt an affirmative action plan that includes administrative policies and practices to encourage the employment of disabled persons in the entire United Nations system (paragraph 162).

31. To improve the accessibility of information, the Department of Public Information reported that technical guidelines of the Working Group on Internet Matters of the Publications Board encouraged offices to ensure that all new web pages developed conformed to acceptable standards pertaining to access by persons

with disabilities. As to the environmental accessibility of United Nations Headquarters, the Department of Management of the United Nations Secretariat has worked on two parallel approaches: a long-term total implementation through the Capital Master Plan, and a short-term approach that focuses on addressing the immediate needs of the Organization, particularly the removal of physical barriers (pending funding availability). New accessibility plans are currently under consideration at the office of the Economic Commission for Africa and the United Nations Office at Vienna, as well as at the Economic Commission for Latin America and the Caribbean and the International Atomic Energy Agency.

VI. Recommendations

32. Whereas the World Programme of Action concerning Disabled Persons calls for across-the-board mainstreaming of a disability perspective in the development agenda, the United Nations international and national development frameworks contain no reference to the equalization of opportunities for persons with disabilities. The five-year review of the Millennium Development Goals may therefore provide an opportunity to consider possible ways for the inclusion of a disability perspective in relation to the measures identified for the implementation of the Goals. Several of the Goals — such as those relating to poverty eradication, universal primary education and combating HIV/AIDS — are relevant to furthering the equalization of opportunities for persons with disabilities, since they are the ones most affected by poverty, illiteracy and inadequate health care. The General Assembly may also wish to consider options for mainstreaming disability within the United Nations national development frameworks, such as in the context of the common country assessment and the United Nations Development Assistance Framework.

33. Keeping in mind the ongoing negotiations on a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, the Assembly may wish to consider options for more effective synergy in monitoring the implementation of the existing two disability-specific international instruments — the World Programme of Action concerning Disabled Persons and the Standard Rules on Equalization of Persons with Disabilities — and the future monitoring of the implementation of the envisaged convention. The ongoing reform of the United Nations and its treaty bodies should be taken into account in this context as well as the request made by the Secretary-General to the General Assembly in his report "In larger freedom: towards development, security and human rights for all" (A/59/2005), "to review all mandates older than five years to see whether the activities concerned are still genuinely needed or whether the resources assigned to them can be reallocated in response to new and emerging challenges".